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PATENT APPLICATION

ATTORNEY DOCKET NO. 200208395-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert N. Mayo et al.

Confirmation No.: 7387

Application No.: 10/629,040

Examiner: Frink J.

Filing Date: 7-28-2003

Group Art Unit: 2142

Title: DIRECTING CLIENT REQUESTS IN AN INFORMATION SYSTEM USING CLIENT-SIDE INFORMATION

Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF REPLY BRIEF

Transmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on 11-13-07.

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

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Respectfully submitted,

Robert N. Mayo et al

By Paul H. Horstmann

Paul H. Horstmann

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Reg No. : 36,167

Date : 1-14-08

Telephone : 323-605-4717



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Robert N. Mayo et al.

Application No: 10/629,040

Filed: 7-28-2003

For: DIRECTING CLIENT REQUESTS
IN AN INFORMATION SYSTEM
USING CLIENT-SIDE INFORMATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Frink J.

Art Unit: 2142

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Name of Person Mailing Correspondence

Paul H. Horstmann

Signature

1-14-08

Date

Appellant's Reply Brief

Dear Sir:

Applicant/ Appellant submits this Reply Brief in connection with the above-referenced patent application which is on appeal to the Board of Patent Appeals and Interferences.

Remarks

In response to appellant's argument that the source subsystem UID 722 of *Freeman* is information generated by a subsystem inside a server 180 and not information generated by a client of an information system as claimed in claims 1 and 16, the examiner in his Answer¹ has stated that the source subsystem identified by UID 722 may be on a different server than the destination subsystem² and therefore the source subsystem "serves" as a client subsystem to the destination subsystem. (See page 11, Examiner's Answer, 11-13-07). It is respectfully submitted that even if one were to accept the examiner's characterization of a subsystem of a server as a client of another subsystem of the server,³ the UID 722 is still not information generated by a client of an information system as claimed in claims 1 and 16.

The examiner in his Answer has also stated that *Freeman* teaches determining which access subsystem is to handle a client request in response to client-side information as claimed in claims 1 and 16 because *Freeman* teaches that a request from the client 120 to run an application is routed to a server based on which application the client 120 has requested. (See pages 11-12, Examiner's Answer, 11-13-07). It is submitted that the examiner's argument that *Freeman* routes a client request to a server in the server farm 110 based on which application is specified in the client request rests on the false assumption that there is no overlap in the applications that are hosted by different servers in the server farm 110.⁴ In reality, *Freeman* teaches that the same application is hosted by multiple servers in the server farm 110. (*Freeman*, paragraphs 3 and 351, lines 7-10). In further contrast, *Freeman* clearly teaches that a server in the server farm 110 is selected to execute an application in response to overall server and network load so as to minimize the response time to a client request (*Freeman*, paragraph 351, lines 7-10).

¹ Examiner's Answer dated 11-13-07.

² *Freeman* discloses a set of servers 180 in a server farm 110 that include a set of software subsystems 300 (*Freeman*, Figure 3 and paragraph 0126) that communicate with one another using events carried on an event bus 310 inside the servers 180. (*Freeman*, paragraph 0128).

³ The examiner's characterization of a subsystem of a server as a client goes against the thrust of the teachings in *Freeman* which are directed to communication between servers. (*Freeman*, paragraph 5).

⁴ If multiple servers in the server farm host a particular application then there would be no way to select which server is to handle a client request for that particular application based upon the name of the application as argued by the examiner.

Paragraphs 351-364 of *Freeman* disclose a number of rules for managing overall server and network load when routing client requests to servers and all of the rules are based on information generated inside the server farm 110 and none of the rules take into account information generated by the client 120 as claimed in claims 1 and 16.

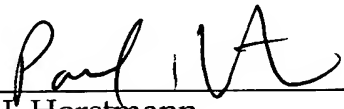
CONCLUSION

Appellant respectfully resubmits that the examiner's rejections cannot be maintained in view of the arguments set forth above.

Respectfully submitted,

By

Date: 1-14-08



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